

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DELOAY ASKINS

Write the full name of each plaintiff.

1.9 CV 8793

(Include case number if one has been assigned)

-against-

Philip Weinberg, Erica Joshua, Mrs. Smith,
Mr. Jackson, & Mrs. Diaz

COMPLAINT

Do you want a jury trial?

☐ Yes ☐ No

Write the full name of each defendant. If you need more space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II.

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

☒ Federal Question

☐ Diversity of Citizenship

A. If you checked Federal Question

Which of your federal constitutional or federal statutory rights have been violated?

Civil Rights Violation, Human Rights, ADA Rights

B. If you checked Diversity of Citizenship

1. Citizenship of the parties

Of what State is each party a citizen?

The plaintiff, _____, is a citizen of the State of _____
(Plaintiff's name)

(State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of _____

If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

If the defendant is an individual:

The defendant, _____, is a citizen of the State of
(Defendant's name)

or, if not lawfully admitted for permanent residence in the United States, a citizen or
subject of the foreign state of _____.

If the defendant is a corporation:

The defendant, _____, is incorporated under the laws of
the State of _____

and has its principal place of business in the State of _____

or is incorporated under the laws of (foreign state) _____

and has its principal place of business in _____.

If more than one defendant is named in the complaint, attach additional pages providing
information for each additional defendant.

II. PARTIES

A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional
pages if needed.

<u>DELROY</u>		<u>ASKINS</u>
First Name	Middle Initial	Last Name
<u>145 EAST 126TH STREET #6E</u>		
Street Address		
<u>NEW YORK</u>	<u>NEW YORK</u>	<u>10035</u>
County, City	State	Zip Code
<u>(999) 407-4899</u>		
Telephone Number	Email Address (if available)	

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1: Philip Weinberg
 First Name Last Name
President of STRIVE
 Current Job Title (or other identifying information)
UNKNOWN
 Current Work Address (or other address where defendant may be served)

 County, City State Zip Code

Defendant 2: Erica Joshua
 First Name Last Name
Receptionist
 Current Job Title (or other identifying information)
205 East 192nd Street 3rd Floor
 Current Work Address (or other address where defendant may be served)
NEW YORK NEW YORK 10035
 County, City State Zip Code

Defendant 3: Mr. Smith
 First Name Last Name
One of the interviewers on Panel
 Current Job Title (or other identifying information)
205 East 192nd Street 3rd Floor
 Current Work Address (or other address where defendant may be served)
NEW YORK NEW YORK 10035
 County, City State Zip Code

Defendant 4:

Mr. JACKSON

First Name Last Name

One of the interviewers on panel

205 East 199th Street 3rd Floor
Current Work Address (or other address where defendant may be served)

NEW YORK	NEW YORK	10025
County, City	State	Zip Code

III. STATEMENT OF CLAIM

Place(s) of occurrence: _____

Date(s) of occurrence: _____

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed.

Please see Attachments:
Also the remainder of the other defendants name and Address i's on attachment.

INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

Please see Attachments:

IV. RELIEF

State briefly what money damages or other relief you want the court to order.

Please see Attachments:

Delroy Askins

JURY TRIAL

v.

Philip Weinberg, Erica Joshua, Mrs. Smith, Mr. Jackson, & Mrs. Diaz

I would like to get started just with a little history. I had decided to go back to school and went to Hostos Community College in or about 2012. I Graduated June 2014 with my Associate Degree in Arts. I also decided to go straight to Lehman College and was enrolled in 2014. In 2017 I walked with my colleagues in sociology but officially Graduated May 31, 2018. I started looking for work and someone had connected me with an agency. That agency connected me with Strive. But meanwhile I was making myself useful by doing voluntary work for the court system. Then I felt it was good to take the 3 to 4 months course in Health and Office Operations Training Program after getting all relevant information in the info-session with Isiah Doctor. He is the contact person and Coordinator Instructor for Strive.

On April 30, 2018, I went to the Strives Information Session pertaining to a Health and Office Training Program, which was due to start on May 11, 2018. I had previously received an email from Isaiah Doctor, Outreach Coordinator, inviting me to the Information Session.

After the Information Session was completed, I decided to enroll in the Health and Office Training Program, which entailed taking an examination, and scoring a grade of at least a 90 and then getting a group interview.

I thereupon proceeded to take the required examination and, while taking that examination, a staff person, Erica Joshua, interrupted the examination proceeding, and made me very uncomfortable. Ms. Joshua yelled at me to hurry up and finish my examination. I informed Ms. Joshua that I had a few more questions to complete the examination. Ms. Joshua then exited the room, and I followed her and asked her if I could complete the exam on the following day. Ms. Joshua responded by stating, "No. just go ahead and complete the exam".

I completed the examination and left the Strive office. I later called Mr. Doctor to find out whether I had passed the examination. Mr. Doctor stated that he will find out and contact me. He later told me that I had passed the exam.

On May 8, 2018, I received a phone call from Strive Office representative in which I was informed that my panel interview was changed to May 9, 2018.

On May 9, 2018, I went to the Strives Office to be interviewed by a panel of interviewers. After I arrived at the office, Ms. Joshua informed the other enrollees to follow her to another location, but asked me to wait. Later, Ms. Joshua went over to me and brought me to where the other enrollees were but placed me in a space that was confining and made me feel uncomfortable. Ms. Joshua was waving her hands at me in a dismissive way. Ms. Joshua then asked the group a question and some people raised their hands from the group, but I did not raise my hand, and Ms. Joshua chastised me about it. Ms. Joshua asked another question, to which again I did not raise my hand, and I was again chastised by Ms. Joshua.

Later, after Ms. Joshua departed and spoke to the three panelists, I was ultimately interviewed by the panelists.

On May 10, 2018, I went to the Strives Office to find out if I had been enrolled in the program. I was informed by a staff person that I was not successfully enrolled in the Program. When I enquired why I was not enrolled, I was informed that I was not enrolled because I was looking for a job. I believed that the panel of Interviewers were biased since they did not give me follow-up questions as they did the other enrollees. One of the panelist had dismiss my Bachelor's Degree in Sociology from Lehman College stating "well you don't have it now".

As an Equal Opportunity Employer Program that says it's dedicated to helping individuals from underserved communities. How can three panelists sit there and not ask one follow-up question? The panelists are not in alignment with equal opportunity because they sat there and ask all the other participants follow up questions and never at any time ask me one. This I believe is the result of what was said by Ms. Joshua to panelists before they enter the room, because again when the panelists entered the room the first thing they did was look at me. All it takes is one person, and one of the panelists were out at the front desk on the day in question.

When the hands of anyone falls in the face of individuals like STRIVE's staff, that are bias, there must be Justice or there will be No Peace. Strive employees violated me and they treated me in an inhumane way by putting me in a confined area and having me to feel like I was nothing. The embarrassment that I felt several times while the other participants watched. To add to that is to be in a room with participants and staff but you are invisible. Whenever someone wrongs me I will always bring it to the appropriate entity and right now that's why I'm filing this case. What I realize now is that when you bring complaints against people who feel they are above the law The Narrative changes. Everything you ever did right becomes wrong wrong wrong. This is something that normally happens to people in the underserved communities when they are wrong

or when they speak about how they've been treated. That is why I will use my constitutional rights of the First Amendment to put light on strives dark employees.

Also, I should note that it was difficult to maneuver my wheelchair through the office because the tables and chairs did not provide sufficient passageway. Furthermore, when a panelist had asked if there were any final questions, I asked whether the program was wheelchair accessible, one of the panelists was very dismissive of my question.

I believed that I have been Discriminated against, My Civil Rights Were Violated, In addition, My Human Rights, ADA and probably more. I also reserve the right to add additional charges.

I was emotional, psychologically, mentally, harm by the actions of STRIVE's Staffs and demand \$5,000,000 Dollars in damages. I am also seeking punitive damages as well and an injunction from the courts.

All These STRIVE Defendants Have Same Job Location: Which is below.

Erica Joshua, Mrs. Smith, Mr. Jackson, & Mrs. Diaz

205 East 122rd Street 3rd Floor

New York, New York 10035

(212) 360-1100

Delroy Askins

145 East 126th Street #6E

New York, New York 10035

(929) 407-4899

September 30, 2019 (Friday)



V. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

<u>September 20, 2019 (Friday).</u>		<u><i>Delroy Askins</i></u>
Dated		Plaintiff's Signature
<u>DELROY</u>		<u>ASKINS</u>
First Name	Middle Initial	Last Name
<u>145 EAST 126th STREET # 60</u>		
Street Address		
<u>NEW YORK</u>	<u>NEW YORK</u>	<u>10035</u>
County, City	State	Zip Code
<u>(999) 407-4899</u>		
Telephone Number	Email Address (if available)	

I have read the Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☐ Yes ☒ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.